



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket

March 14, 2012

LEWIS AND ROCA LLP

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Stipulated Order Approving Stipulated
Motion re Proof of Claim of Dr. Melody A.
Pfingsten and Crystal Wittich re Marlton
Square (Second) Developers**

The "Stipulated Motion re Proof of claim of Dr. Melody A. Pfingsten and Crystal Wittich ("Dr. Pfingsten and Ms. Wittich")", Re Marlton Square (Second) [DE 9752] came before the Court for consideration. No notice being necessary and good cause appearing,

IT IS ORDERED:

- Approving the Stipulation;
- Proof of Claim No. 10725-00805 filed by Dr. Pfingsten and Ms. Wittich in the amount of \$55,43.90 pertaining to the investment in Marlton Square (Second) Developers is hereby 25% allowed (\$13,860.97) and 75% disallowed (\$41,582.92).

- 1 • Based upon the allowed claim for \$13,860.97, the USACM Trust will make an
2 immediate 4.92% distribution (\$681.95) to Dr. Pfingsten and Ms. Wittich as the
3 *pro rata* share of the funds reserved by the Trust from the initial creditor
4 distribution. All other funds reserved, if any, for the Pfingsten/Wittich Claim
5 will be released from the Disputed Claims Reserve and made available to the
6 Trust for whatever purpose is appropriate in the administration of the Trust;
- 7 • Dr Pfingsten and Ms. Wittich will share in future distributions *pro rata* based
8 upon the amount of the allowed claim (\$13,860.97). This includes the second
9 distribution of 3.88% that the Court approved from the bench on Thursday,
10 March 1, 2012, but for which a final order has not yet been entered.
11 Pfingsten/Wittich will receive the second distribution of 3.88% in the normal
12 course along with other similarly situated Direct Lenders; and
- 13 • This Order will supersede the Order Sustaining First Omnibus Objection of
14 USACM Trust to Proofs of Claim Based Entirely Upoin Invesment In the
15 Marlon Square (Second) Developers Loan [DE 9400] and any other preceeding
16 orders from this Court that could be considered to conflict with it.

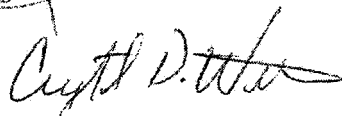
17 **STIPULATED TO AND APPROVED AS**
18 **TO FORM AND CONTENT**

19 /s/ Dr. Melody A. Pfingsten
20 **Dr. Melody A. Pfingsten**
21 **43613 Southland Way**
22 **Fremont, CA 94539-5933**



3/5/2012

21 /s/ Crystal Wittich
22 **Crystal Wittich**
23 **43613 Southland Way**
24 **Fremont, CA 94539-5933**



3/5/2012

25 **PREPARED AND RESPECTFULLY SUBMITTED BY:**
26

1 **LEWIS AND ROCA LLP**

2 By /s/ John Hinderaker (AZ 018024)

3 Robert M. Charles, Jr.

4 John Hinderaker (*pro hac vice*)

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